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APPLICATION NO.	FILING DATE.	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,140	03/21/2001	Takao Tsuda	KOT-0025	2488

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EXAMINER

JANKUS, ALMIS R

ART UNIT	PAPER NUMBER
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2671

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/814,140

Applicant(s)

TSUDA ET AL.

Examiner

Almis R Jankus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,25-29,45 and 54 is/are rejected.
- 7) ☒ Claim(s) 7-24,30-44,46-53 and 55 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### DETAILED ACTION

1. Claims 1-55 are presented for examination.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-6, 25-29, 45 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mogamiya.

With respect to claim 1, Mogamiya teaches the claimed image processor, at figure 5 item 172; a communication section for transmitting and receiving information between the image processor and a control apparatus for controlling maintenance of the image processor, at figure 5 with the bus and other communication lines connecting the image processor and the control apparatus. The teaching of the transmitting and receiving information between the image processor and the control apparatus for controlling maintenance of the image processor is taught at column 7 lines 10-18 with "Note that the image process circuit 172 and the monitor drive circuit 174 are controlled by the second system control circuit 156. On the other hand, in an image recording operation, the image data, which has been subjected to the image processes by the image process circuit 172, is compressed by the second system control circuit 156, and is stored in a memory 180 driven by a memory controller 178. The image data stored in the memory 180 is read therefrom by the memory controller 178, and is reproduced by the monitor 82."; and an information obtaining means for obtaining information to reproduce a condition of the image processor on a control apparatus side, wherein the information obtained by the information obtaining means is transmitted to the control apparatus through the communication section, at figure 5 item 158 which is the CCD, and at column 6 lines 50-56 with "A CCD 158 is disposed behind the second photographing optical system 62, and thus an object image taken

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by the second photographing optical system 62 is formed on the CCD 158. The CCD 158 is driven by a CCD drive circuit 160, which is controlled based on a synchronizing signal output by a timing generator 162. The timing generator 162 is controlled by the second system control circuit 156.", the transmitting to the control apparatus through the communication section being taught at the image recording operation as presented above.

With respect to the claimed "maintenance control system of an image processor for processing an image" of the preamble, while Mogamiya does not explicitly teach this, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to consider the control system of Mogamiya (system control circuit of figures 4 and 5, item 156) as the claimed maintenance control system because it controls various aspects for maintaining proper image recording; such as focus, which is taught at column 8.

Claim 2 further requires the maintenance control system of claim 1, wherein the information is one to reproduce a motion condition of the image processor, or an operation condition to the image processor on the control apparatus side. Mogamiya teaches reproducing an operation condition to the image processor on the control apparatus side as the image recording operation.

Claim 3 further requires the maintenance control system of claim 1, wherein the predetermined information is transmitted in parallel with a maintenance instruction of

the control apparatus side. Mogamiya teaches this at column 1 lines 5-8.

Claim 4 further requires the maintenance control system of claim 1, wherein the information obtaining means is a photographing means for photographing the operation condition and/or the motion condition of the image processor, and the image information photographed by the photographing means is transmitted to the control apparatus. Mogamiya teaches this at figure 5 and at the sections from Mogamiya presented above.

Claim 5 further requires the maintenance control system of claim 4, wherein the photographing means is movable. Mogamiya teaches this at column 1 lines 38-43 with "Therefore, an object of the present invention is to provide a camera system in which a digital camera is detachably mountable to a silver halide film camera having a design which is not substantially different to a conventional silver halide film camera to which the digital camera cannot be attached.

Claim 6 further requires the maintenance control system of claim 4, wherein an image photographed by the photographing means is animation. Mogamiya teaches this at column 7 lines 1-11 with "The image data stored in the field memory 168 is read therefrom, and is subjected to predetermined processes, such as a gamma correction and a shading correction, in an image process circuit 172. Then, in a monitor drive circuit 174, a synchronizing signal and other signals are added to the image data to

generate a video signal, which is output to the monitor 82 such as a liquid crystal display. The object image is reproduced on a surface of the monitor 82 based on the video signal. Note that the image process circuit 172 and the monitor drive circuit 174 are controlled by the second system control circuit 156.

Claim 25 further requires the maintenance control system of claim 1, wherein the image processor is an image processor to process a photosensitive medium, and has an image capturing means for capturing the image in the image processor as the image obtaining means in the image processor. Mogamiya teaches this as the CCD.

Claim 26 further requires the maintenance control system of claim 25, wherein the image capturing means comprises a light source for emitting light having a wavelength outside a photosensitive area of the photosensitive medium, and either a CCD camera or CMOS camera capable of detecting the light emitted from the light source. Mogamiya teaches this at the abstract as an infra-red light beam.

Claim 27 further requires the maintenance control system of claim 25, wherein image data captured by the capturing means is transmitted through the communication section. Mogamiya teaches this as the bus between the image processor and the controller.

Claim 28 further requires the maintenance control system of claim 25, wherein an

image capturing motion by the image capturing means is capable of remote controlling. Mogamiya teaches this at the abstract.

Claim 29 further requires the maintenance control system of claim 25, wherein an image capturing motion by the image capturing means is automatically conducted at fixed periods of time. Mogamiya teaches this at column 6 lines 50-56.

Claim 45 further requires the maintenance control system of claim 1, wherein transmission data is transmitted being attached with a data reference value. Mogamiya teaches this as the timing signals addressed above.

Claim 54 further requires the maintenance control system of claim 1, wherein the information obtaining means is disposed in the image processor. Mogamiya teaches this at figure 5 where the entire figure can be considered an image processor.

5. Claims 7-24, 30-44, 46-53, and 55 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.



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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almis R Jankus whose telephone number is 703-305-9795. The examiner can normally be reached on M-F, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on 703-305-9798. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-6606 for regular communications and 703-308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

AJ  
August 11, 2003



**ALMIS R. JANKUS  
PRIMARY EXAMINER**